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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,389	07/06/2001	Masanobu Akutsu	B422-165	4296
26272	7590	02/10/2006	EXAMINER	
COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036			JONES, HEATHER RAE	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/900,389

Applicant(s)

AKUTSU ET AL.

Examiner

Heather R. Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. Figure 10C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. The disclosure is objected to because of the following informalities:

- a. Page 28, line 12: change "S150" to --S160--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goto et al. (U.S. Patent 5,471,267) in view of Brownstein (U.S. Patent 4,482,924).

Regarding claim 1, Goto et al. discloses a camera which can use a photographic film (abstract), comprising: timepiece means for counting a date (col. 7, lines 3-7); and control means for controlling to record first image taking date information containing last two digits of a dominical year (col. 3, line 58 – col. 4, line 7; second mode) and second image taking date information containing four digits of the dominical year on the basis of an output from the timepiece means (col. 3, line 58 – col. 4, line 7; first mode) (Figs. 5A-5C, 8, 28, and 29A-29D). However, Goto et al. fails to disclose a camera that uses a photographic film having a magnetic recording portion used for recording the dominical year along with a magnetic recording means for recording information on the magnetic recording portion.

Referring to the Brownstein reference, Brownstein discloses a camera that uses a photographic film having a magnetic recording portion used for recording extra information about the image along with a magnetic recording means for recording information on the magnetic recording portion (col. 2, lines 12-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the teaching of using a photographic film with a magnetic recording means as taught by Brownstein in

order to record the dominical year as taught by Goto et al. which allows an ease with which the data can be processed after recording.

Regarding claim 2, Goto et al. in view of Brownstein discloses all the limitations as previously discussed with respect to claim 1 including that the magnetic recording portion has a first recording portion on which the date is recorded and a second recording portion on which an image taking title is recorded (Goto et al.: col. 7, lines 8-23; Fig. 4A, reference characters 50-53), and the control means controls the magnetic recording means to record the first image taking date information on the first recording portion and the second image taking date information on the second recording portion (Brownstein discloses recording on the magnetic recording portion on the photographic film).

Regarding claim 3, Goto et al. discloses a camera which can use a photographic film (abstract), comprising: timepiece means for counting a date (col. 7, lines 3-7); and control means for controlling to record first image taking date information containing last two digits of a dominical year (col. 3, line 58 – col. 4, line 7; second mode) and second image taking date information containing first two digits of the dominical year on the basis of an output from the timepiece means (col. 3, line 58 – col. 4, line 7; first mode) (Figs. 5A-5C, 8, 28, and 29A-29D). However, Goto et al. fails to disclose a camera that uses a photographic film having a magnetic recording portion used for recording the dominical year along with a magnetic recording means for recording information on the magnetic recording portion.

Referring to the Brownstein reference, Brownstein discloses a camera that uses a photographic film having a magnetic recording portion used for recording extra information about the image along with a magnetic recording means for recording information on the magnetic recording portion (col. 2, lines 12-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the teaching of using a photographic film with a magnetic recording means as taught by Brownstein in order to record the dominical year as taught by Goto et al. which allows an ease with which the data can be processed after recording.

Regarding claim 4, grounds for rejecting claim 2 apply for claim 4 in its entirety.

6. Claims 5-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brownstein (U.S. Patent 4,482,924) in view of Goto et al. (U.S. Patent 5,471,267) in view of Baird (U.S. Patent 5,758,346).

Regarding claim 5, Brownstein discloses a reading apparatus for reading information on a photographic film having a magnetic recording portion on which information is recorded (col. 2, lines 12-22), comprising a reading means for reading the information recorded on the magnetic recording portion (Fig. 2; col. 4, lines 16-50). However, Brownstein fails to disclose a timepiece means for counting time and a conversion means for converting the first date information into date information containing four digits of the dominical year on the basis of

the first date information read by the reading means and timepiece information from the timepiece means.

Referring to the Goto et al. reference, Goto et al. discloses an apparatus comprising a timepiece means for counting time and wherein the date is recorded with the image (abstract; col. 7, lines 3-7).

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to have combined the teaching of a timepiece means for counting time as taught by Goto et al. with the reading apparatus disclosed by Brownstein in order to provide a reading apparatus that would know the date. However, Brownstein in view of Goto et al. still fail to disclose a reading apparatus comprising a conversion means for converting the first date information into date information containing four digits of the dominical year on the basis of the first date information read by the reading means and timepiece information from the timepiece means.

Referring to the Baird reference, Baird discloses an apparatus comprising a conversion means for converting the first date information into date information containing four digits of the dominical year on the basis of the first date information read by the reading means and timepiece information from the timepiece means (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of using a conversion means as taught by Baird with the apparatus disclosed by Brownstein

in view of Goto et al. in order to convert the year saved with the images into a two- digit or four-digit year for printing purposes.

Regarding claim 6, Brownstein in view of Goto et al. in view of Baird discloses all the limitations as previously discussed with respect to claim 5 including that the apparatus further comprises a print output means for printing and outputting the date information containing the four digits of the dominical year converted by the conversion means (Brownstein: Fig. 12; col. 4, lines 16-50; Baird discloses the conversion means and Goto et al. discloses recording the date information – see above).

Regarding claim 7, Brownstein in view of Goto et al. in view of Baird discloses all the limitations as previously discussed with respect to claim 5 including that the number representing the last two digits of the dominical year in the first date information is not more than a number representing last two digits of a dominical year by the timepiece means, the conversion means converts the first date information into the date information containing the four digits of the dominical year by the timepiece means as first two digits of the dominical year in the first date information (Baird: col. 1, lines 54-64; col. 5, lines 18-55).

Regarding claim 8, Brownstein in view of Goto et al. in view of Baird discloses all the limitations as previously discussed with respect to claim 5 including that when a number representing the last two digits of the dominical year in the first date information is larger than a number representing the last two digits of a dominical year by the timepiece means, the conversion means



converts the first date information into the date information containing the four digits of the dominical year by using a value obtained by subtracting 1 from first two digits of the dominical year by the timepiece means as first two digits of the dominical year (Baird: col. 1, lines 54-64; col. 5, lines 18-55).

Regarding claim **9**, Brownstein in view of Goto et al. in view of Baird discloses all the limitations as previously discussed with respect to claim 5 including that when a number representing the last two digits of the dominical year in the first date information is one of "96 to 99", the conversion means obtains, as a dominical year, a value obtained by adding "1900" and a "number" representing the last two digits of the dominical year in the first date information (Baird: col. 5, lines 18-55).

Regarding claim **10**, Brownstein in view of Goto et al. in view of Baird discloses all the limitations as previously discussed with respect to claim 5 including that when a number representing the last two digits of the dominical year in the first date information is one of "00 to 95", the conversion means obtains, as a dominical year, a value obtained by adding "2000" and a "number" representing the last two digits of the dominical year in the first date information (Baird: col. 5, lines 18-55).

Regarding claim **11**, Brownstein discloses a reading apparatus for reading information on a photographic film having a magnetic recording portion on which information is recorded (col. 2, lines 12-22), comprising a reading means for reading the information recorded on the magnetic recording portion (Fig. 2; col. 4,

lines 16-50). However, Brownstein fails to disclose a conversion means for converting the first date information into date information containing four digits of the dominical year on the basis of the first date information read by the reading means and timepiece information from the timepiece means.

Referring to the Goto et al. reference, Goto et al. discloses an apparatus comprising a timepiece means for counting time and wherein the date is recorded with the image (abstract; col. 7, lines 3-7).

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to have combined the teaching of a timepiece means for counting time as taught by Goto et al. with the reading apparatus disclosed by Brownstein in order to provide a reading apparatus that would know the date. However, Brownstein in view of Goto et al. still fail to disclose a reading apparatus comprising a conversion means for converting the first date information into date information containing four digits of the dominical year on the basis of the first date information read by the reading means and timepiece information from the timepiece means.

Referring to the Baird reference, Baird discloses an apparatus comprising a conversion means for converting the first date information into date information containing four digits of the dominical year on the basis of the first date information read by the reading means and timepiece information from the timepiece means (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of using a conversion means as taught by Baird with the apparatus disclosed by Brownstein in view of Goto et al. in order to convert the year saved with the images into a two- digit or four-digit year for printing purposes.

Regarding claims **12-14**, grounds for rejecting claims 6, 9, and 10 apply for claims 12-14 respectively in their entireties.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. Johnson (U.S. Patent 6,760,725) discloses software for converting dates at the turn of the century.
  - b. Eichen (U.S. Patent 6,237,002) discloses a method for processing information that contain dates spanning the end of a century.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Jones whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

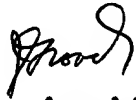
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather R Jones  
Examiner  
Art Unit 2616

HRJ  
February 3, 2006

  
**James J. Groody**  
**Supervisory Patent Examiner**  
**Art Unit 2616**